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PATENT Attorney Docket No. UPA-008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Whitehead

SERIAL NO.:

10/045,360

GROUP NO.:

1634

FILING DATE:

January 22, 2002

EXAMINER:

Jeffrey N. Fredman

TITLE:

METHODS FOR DETERMINING STEROID RESPONSIVENESS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3rd day of November, 2003.

Date

Brenda T. Kowalczuk

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg.); Supplemental Information Disclosure Statement (1 pg.); PTO-1449 (1 pg.); Cited Art C30-C33; this Certificate of First Class Mailing and return receipt postcard.

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	OIPE								
7			Application Serial Number			10/045,360			
TRANSMITTAL			Filing Date			January 22, 2002			
			First Named Inventor			Whitehead			
			Group Art Unit			1634			
			Examiner Name			Jeffrey N. Fredman			
	FORM		Attorney Docket No.			UPA-008			
			BATCH NO. (after allowance)		7	Not applicable			
			Patent No.		寸	Not applicable			
			Issue Date			Not applicable			
		ENC	LOSURES (c	heck all that apply)					
Fee Transmittal Form Copy of Notice to File Missing Notice of Appeal to Board									
	Charle Attached			cation (PTO-1553)	-	of Patent Appeals and Interferences			
	☐ Check Attached☐ Copy of Fee Transmittal Form		Formal Drawin	ng(s)		Appeal Brief (in triplicate)			
	Amendment/Response		Request For C Examination (Status Inquiry			
	☐ Preliminary ☐ After Final		Transmittal			Return Receipt Postcard			
	Affidavits/declaration(s)		Power of Atto			_			
	Letter to Official Draftsperson		(Revocation of	f Prior Powers)	2	Certificate of First Class Mailing under 37 C.F.R. 1.8			
	including Drawings [Total Sheets]		Terminal Disc	laimer		Certificate of Facsimile			
	[Fotal Officets]		Terminal Disc	iamici	-	Transmission under 37 C.F.R. 1.8			
	Petition for Extension of Time			aration and Power r Utility or Design ation		Additional Enclosure(s) (please identify below)			
⊠			Small Entity Statement						
Disclosure Statement Form PTO-1449									
	Copies of IDS Citations	CD(s) for large table or computer program							
	Certified Copy of Priority Document(s)		Amendment A	fter Allowance					
	. ,	Request for Co		ertificate of					
	Sequence Listing submission Paper Copy/CD		Correction Certificate	of Correction (in					
	☐ Computer Readable Copy		duplicate)	or contention (in					
	Statement verifying identity of above								
CORRESPONDENCE ADDRESS				SIGNATURE BL	.00	CK			
Direct all correspondence to: Patent Administrator						Respectfully submitted,			
Birect	Testa, Hu High Stre 125 High Boston, M Tel. No.:	rwitz & Thi et Tower		Date: November 3, Reg. No. 43,153 Tel. No.: (617) 310 Fax No.: (617) 248	-81	68 Attorney for Applicant			



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the non U.S. patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1)	within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. 1.114; or
(2)	after the period defined in (1) but before the mailing date of a final action or a notice of allowance under 37 C.F.R. 1.311, and
	the requisite Statement is below, OR
	the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein, or

Fourth Supplemental Information Disclosure Statement Serial No. 10/045,360 Page 2 of 2 П (3) after the mailing date of a final action or notice of allowance but before the payment of the issue fee, AND the requisite Statement is below, AND the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein. It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application. **STATEMENT** As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]: П 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R.

Respectfully submitted,

1.56(c) more than three months prior to the filing of the Information

Disclosure Statement.

Date: November 3, 2003

Reg. No. 43,153

Tel. No.: (617) 310-8168 Fax No.: (617) 248-7100

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Diana M. Steel

Attorney for Applicant

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Boston, Massachusetts 02110

FORM PTO - 1449 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT					ATTORNEY DOCKET NO.: UPA-008 APPLICANT: Whitehead SERIAL NO.: 10/045,360																	
																FILING DATE: January 22, 2002						
																	GROUP: Not yet assigned					
			U.S.	PATENT	DOCUM	ENTS	**															
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLA			SUB CLASS														
			FOREI	GN PATE	NT DOCU	MENTS																
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY		ENGLISH LANG (Y/N)												
			OTHER AR	RT, JOURN	IAL ARTI	CLES, E	TC.															
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)																					
	C30	Baumann et al., "Interaction of Cytokine- and Glucocorticoid-Response Elements of Acute-Phase Plasma Protein Genes", The Journal of Biological Chemistry, Vol. 265, No. 36, pp. 22275-22281, December 25, 1990.																				
	C31	Nickerson et al., "Automated DNA Diagnostics Using an ELISA-Based Oligonucleotide Ligation Assay", Proc. Natl. Acad. Sci., Vol. 87, pp. 8923-8927, November 1990.																				
	C32 Scheidereit et al., "The glucocorticoid Receptor Binds to Defined Nucleotide Sequences Near the Promo of Mouse Mammary Tumour Virus", Nature, Vol. 304, pp. 749-752, August 25, 1983.									the Promoter												
	C33 Tobe et al., "Single-Well Genotyping of Diallelic Sequence Variations by a Two-Color ELISA-Based Oligonucleotide Ligation Assay", Nucleic Acids Research, Vol. 24, No. 19, 1996.																					
EXAMINER				DATE CONSIDERED																		

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